

PROOF OF SERVICE

I am a resident of the State of California and over the age of eighteen years and not a party to the within-entitled action; my business address is One Market, Spear Street Tower, San Francisco, California 94105-1126.

On October 10, 2007, I served the within document(s):

- 1. DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S STATE LAW CLAIMS; MOTION TO DISMISS INDIVIDUAL DEFENDANTS; PETITION TO COMPEL ARBITRATION OF REMAINING CLAIMS; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF
- 2. DECLARATION OF CECILY WATERMAN IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S STATE LAW CLAIMS; MOTION TO DISMISS INDIVIDUAL DEFENDANTS; PETITION TO COMPEL ARBITRATION OF REMAINING CLAIMS
- 3. DECLARATION OF GREGORY P. FONTENOT IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S STATE LAW CLAIMS; MOTION TO DISMISS INDIVIDUAL DEFENDANTS; PETITION TO COMPEL ARBITRATION OF REMAINING CLAIMS
- 4. [PROPOSED] ORDER GRANTING DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S STATE LAW CLAIMS; MOTION TO DISMISS INDIVIDUAL DEFENDANTS; PETITION TO COMPEL ARBITRATION OF REMAINING CLAIMS
- by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- by placing the document(s) listed above in a sealed FEDERAL EXPRESS envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a FEDERAL EXPRESS agent for delivery.
- by causing the document(s) listed above to be personally delivered at to the person(s) at the address(es) set forth below.
- by transmitting via electronic mail the document(s) listed above to each of the person(s) as set forth below.

Waukeen McCoy 703 Market Street, Suite 1407 San Francisco CA 94103

MORGAN, LEWIS & BOCKIUS LLP
ATTORNEYS AT LAW
SAN FRANCISCO

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l am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on October 10, 2007, at San Francisco, California.

I declare under penalty of perjury that I am employed in the office of a member of the bar of this court at whose direction the service was made, and that the foregoing is true and correct.

Patricia Defattoya Murphy

Patricia De La Hoya Murphy

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